



U.S. Department of Veterans Affairs
Office of General Counsel

Torts Law Group (339/02)
155 Van Gordon Street
Lakewood, CO 80228

Telephone: (303) 914-5810
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In reply to: GCLaws #351356

September 13, 2017

Mr. Tom Jacob
National Trial Law
7500 Rialto Blvd, Bldg Two, Suite 250
Austin, TX 78735

RE: **Administrative Tort Claim of Mr. Tommy L. Byrd**

Dear Mr. Jacob:

The U.S. Department of Veterans Affairs (VA), Office of Chief Counsel, received your client's Standard Form (SF) 95, *Claim for Damage, Injury, or Death*, on 8/22/2017. The claim seeks \$20,000,000 in damages.

As you are aware, under the Federal Tort Claims Act (FTCA), 28 U.S.C. §§ 1346(b) and 2671-2680, VA has six months to consider a claim before you have the option to file suit on behalf of your client in U.S. District Court. We will make every effort to meet that goal while thoroughly investigating the claim.

Under 28 C.F.R. § 14.4, which implements the FTCA, we are requesting that you provide the following information to the investigator assigned as soon as possible unless previously provided:

1. Copies of any and all non-VA medical records related to the alleged injury or injuries, if applicable.
2. Copies of medical bills from non-VA providers related to the alleged injury or injuries, if applicable.
3. Sources and amounts of income to include Social Security, retirement, pensions, VA benefits and copies of past federal income tax returns.
4. If claiming any loss of time from employment, a written statement from the employer listing time off work and the wages lost because of the injury. If claiming a loss of self-employment, evidence of the earnings lost.
5. Any other information and documents that may support the claim, including a medical opinion, if obtained.

The investigator assigned to this FTCA claim is:

Attorney Ellen Hastings
1700 Clairmont Road

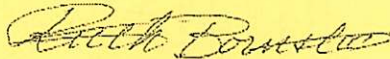
Decatur, GA 30033
Telephone: 202-815-2147

Under 28 U.S.C. § 2678, attorney fees are limited to 20 percent of any award, compromise, or settlement of an administrative claim and to 25 percent of the recovery following the filing of a lawsuit.

A combination of Federal and state laws govern FTCA claims; some state laws may limit or bar a claim or lawsuit. VA legal staff handling FTCA claims work for the Federal government, and cannot provide legal advice on state or Federal law or on filing requirements.

If you have any questions or concerns, you may communicate directly with the investigator, who will be happy to assist. Thank you for your cooperation. We look forward to working with you to resolve your client's claim.

Sincerely,



Ruth Bornstedt
Paralegal Specialist